

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

v.

FRANCISCO NAVARRO-DELGADO,

Defendant.

3:21-CR-012-LRH-WGC

Amended Preliminary Order of Forfeiture

This Court finds Francisco Navarro-Delgado pled guilty to Count One of a One-Count Criminal Information charging him with conspiracy to distribute controlled substances in violation of 21 U.S.C. §§ 841(a)(1) and 846. Plea Agreement, ECF No. 58; Change of Plea, ECF No. 60; Criminal Information, ECF No. 62.

This Court finds Francisco Navarro-Delgado agreed to the forfeiture of the property set forth in the Plea Agreement and the Forfeiture Allegations of the Criminal Information. Plea Agreement, ECF No. 58; Change of Plea, ECF No. 60; Criminal Information, ECF No. 62.

This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (b)(2), the United States of America has shown the requisite nexus between property set forth in the Plea Agreement and the Forfeiture Allegations of the Criminal Information and the offense to which Francisco Navarro-Delgado pled guilty.

The following property is (1) any firearm or ammunition involved in or used in any violation of any other criminal law of the United States, 21 U.S.C. §§ 841(a)(1) and 846; (2) any firearm or ammunition intended to be used in any offense punishable under the Controlled Substances Act, 21 U.S.C. §§ 841(a)(1) and 846; (3) any property used, or

intended to be used, in any manner or part, to commit, or to facilitate the commission of 21 U.S.C. §§ 841(a)(1) and 846; and (4) any firearm used or intended to be used to facilitate the transportation, sale, receipt, possession, or concealment of property described in 21 U.S.C. § 881(a)(1) and 881(a)(2), in violation of 21 U.S.C. §§ 841(a)(1) and 846, and any proceeds traceable to such property and is subject to forfeiture pursuant to 18 U.S.C. § 924(d)(1) with 28 U.S.C. § 2461(c); 18 U.S.C. § 924(d)(1), (2)(C), and (3)(B) with 28 U.S.C. § 2461(c); 21 U.S.C. § 853(a)(2); and 21 U.S.C. § 881(a)(11) with 28 U.S.C. § 2461(c):

1. an iphone with IMSI number 311480600101912;
2. a Mac-10 firearm with snake emblem and unknown serial number;
3. a Mac-10 extended magazine;
4. rounds loaded in the Mac-10 extended magazine;
5. a Glock 19 9mm caliber pistol with serial number YSZ609;
6. a 9mm extended magazine;
7. rounds loaded in the 9mm extended magazine; and
8. any and all compatible ammunition

(all of which constitutes property).

This Court finds that on the government's motion, the Court may at any time enter an order of forfeiture or amend an existing order of forfeiture to include subsequently located property or substitute property pursuant to Fed. R. Crim. P. 32.2(e) and 32.2(b)(2)(C).

This Court finds the United States of America is now entitled to, and should, reduce the aforementioned property to the possession of the United States of America.

NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the United States of America should seize the aforementioned property.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all possessory rights, ownership rights, and all rights, titles, and interests of Francisco Navarro-Delgado in the aforementioned property are forfeited and are vested in the United States of America and shall be safely held by the United States of America until further order of the Court.

1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States
2 of America shall publish for at least thirty (30) consecutive days on the official internet
3 government forfeiture website, www.forfeiture.gov, notice of this Order, which shall
4 describe the forfeited property, state the time under the applicable statute when a petition
5 contesting the forfeiture must be filed, and state the name and contact information for the
6 government attorney to be served with the petition, pursuant to Fed. R. Crim. P. 32.2(b)(6)
7 and 21 U.S.C. § 853(n)(2). In the alternative, if the value of the property is less than \$1,000,
8 the government may instead serve every person reasonably identified as a potential claimant
9 in lieu of publication pursuant to Fed. R. Crim. P. 32.2(b)(6)(C) with Fed. R. Civ. P. Supp.
10 Rule G(4)(a)(i)(A).

11 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any individual
12 or entity who claims an interest in the aforementioned property must file a petition for a
13 hearing to adjudicate the validity of the petitioner's alleged interest in the property, which
14 petition shall be signed by the petitioner under penalty of perjury pursuant to 21 U.S.C. §
15 853(n)(3) and 28 U.S.C. § 1746, and shall set forth the nature and extent of the petitioner's
16 right, title, or interest in the forfeited property and any additional facts supporting the
17 petitioner's petition and the relief sought.

18 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any,
19 must be filed with the Clerk of the Court, Bruce R. Thompson U.S. Courthouse and Federal
20 Building, 400 South Virginia Street, 3rd Floor, Reno, Nevada 89501, no later than thirty
21 (30) days after the notice is sent or, if direct notice was not sent, no later than sixty (60) days
22 after the first day of the publication on the official internet government forfeiture site,
23 www.forfeiture.gov.

24 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the
25 petition, if any, shall be served upon the Asset Forfeiture Attorney of the United States
26 Attorney's Office at the following address at the time of filing:

27 Daniel D. Hollingsworth
28 Assistant United States Attorney
James A. Blum

Assistant United States Attorney
501 Las Vegas Boulevard South, Suite 1100
Las Vegas, Nevada 89101.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein need not be published in the event a Declaration of Forfeiture is issued by the appropriate agency following publication of notice of seizure and intent to administratively forfeit the above-described property.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Clerk send copies of this Order to all counsel of record.

DATED December 28, 2021.



LARRY R. HICKS
UNITED STATES DISTRICT JUDGE